



Town Council Agenda Report

SUBJECT: Ordinance/Land Use Plan Amendment

Application No: LA(TXT)99-3A

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING APPLICATION LA(TXT)99-3A AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE ELEMENT TEXT TO CLEARLY IDENTIFY FUTURE LAND USE DESIGNATIONS WHICH PERMIT PUBLIC SCHOOLS, AND TO ESTABLISH CRITERIA FOR COLLOCATION OF PUBLIC SCHOOLS WITH OTHER COMMUNITY FACILITIES SUCH AS PARKS, LIBRARIES AND COMMUNITY CENTERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The amendment adds six (6) policies to the Future Land Use Element which accomplish the following: clearly defining which plan designations permit public schools; adopting the Broward County School Board land area (acreage) guidelines for school facilities; encouraging collocation of schools with other community facilities where practical; requiring the Land Development Code to incorporate screening provisions where incompatible uses adjoin schools; and requiring the Land Development Code to address the provision of safe pedestrian and bicycle access to schools.

DISCUSSION: Last year, the Florida Legislature amended section 163.3177(6)(a), Florida Statutes, to require that local governments include school location criteria in their comprehensive plans. The criteria must encourage the location of schools near urban areas as well as their collocation with parks, libraries and community centers to the extent possible. Local governments are required to revise their land use elements to include these criteria by October 1, 1999. The amendment is not subject to the twice-per-year limitation on adopting plan amendments.

The comprehensive plan already provides for public schools in most land use categories, and therefore satisfies the first statutory requirement. The plan does not, however, address collocation of schools with public facilities. The amendment addresses this requirement by adding policies encouraging collocation where practical, and establishing collocation criteria.

CONCURRENCES:

- The Local Planning Agency recommended approval of the amendment (3-1, Mr. Pisula dissenting, Mr. Kuven absent) May 26, 1999.
- The Town Council approved the ordinance on first reading June 16, 1999.
- The Department of Community Affairs raised no objections to the amendment.

RECOMMENDATION(S): Motion to adopt the amendment with findings that it is consistent with Section 163.3177(6)(a), Florida Statutes, the State Comprehensive Plan, the Strategic Regional Policy Plan for South Florida, the Broward County Land Use Plan, and is internally consistent with the Town of Davie Comprehensive Plan.

Attachment(s): ordinance and planning report.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING APPLICATION LA(TXT)99-3A AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE ELEMENT TEXT TO CLEARLY IDENTIFY FUTURE LAND USE DESIGNATIONS WHICH PERMIT PUBLIC SCHOOLS, AND TO ESTABLISH CRITERIA FOR COLLOCATION OF PUBLIC SCHOOLS WITH OTHER COMMUNITY FACILITIES SUCH AS PARKS, LIBRARIES AND COMMUNITY CENTERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, section 163.3177(6)(a), Florida Statutes requires that local governments incorporate school location criteria in their comprehensive plans that encourage collocation of public schools with parks, libraries, community centers and other complimentary community facilities; and

WHEREAS, the Town Council of the Town of Davie desires to amend the Comprehensive Plan to comply with section 163.3177(6)(a), Florida Statutes; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing on May 26, 1999, noticed in accordance with section 12-303 of the Code of Ordinances of the Town of Davie, and section 163.3184(15), Florida Statutes; and

WHEREAS, the Town Council of the Town of Davie held public hearings on June 2, 1999, and on the date of adoption of this Ordinance, noticed in accordance with section 12-303 of the Code of Ordinances of the Town of Davie, and section 163.3184(15), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the Future Land Use Element text of the Comprehensive Plan heretofore adopted by the Town Council be and the same is hereby amended according to Exhibit "A," attached hereto and made a part hereof.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision

and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with section 163.3184, F.S.

PASSED ON FIRST READING THIS _____ DAY OF _____, 1999

PASSED ON SECOND READING THIS _____ DAY OF _____, 1999

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 1999

EXHIBIT "A" (1 of 2)

Additions are shown with an underline while deletions are ~~struck through~~.

POLICY GROUP 27: SCHOOL SITING:

- Policy 27-1: The Town shall continue to permit public schools, which are classified by this Plan as a type of community facility, in the following land use categories:
 - a. Residential
 - b. Rural Ranches
 - c. Residential/Office
 - d. Commercial
 - e. Commerce/Office
 - f. Employment Center
 - g. Industrial
 - h. Regional Activity Center
 - i. Community Facilities

- Policy 27-2: The Town will utilize the following Broward County School Board land area guidelines for individual school facilities:
 - a. elementary school: 12 acres
 - b. middle school: 20 acres
 - c. high school: 45 acres

- Policy 27-3: Collocation of public schools with other community facilities shall be considered when:
 - a. New or replacement schools are funded in the School Board's Capital Budget and are adjacent to other existing public facilities;
 - b. New facilities are funded in the Town's Capital Improvement Element and can be located adjacent to public schools;
and/or
 - c. Joint use projects are created and implemented.

- Policy 27-4: The Town will encourage the collocation of public facilities such as libraries, parks and community centers with public schools to the extent practical and financially feasible. The following criteria shall be considered for collocating public schools and public facilities:
 - a. Availability of vacant land of suitable size and dimensions for the collocated public uses;
 - b. Compatibility of the collocated public uses with the adjacent land uses (ex: noise, odors, glare, debris, dust, traffic, high voltage transmission lines etc.) and the compatibility of the collocated public uses' future land use designation(s) with the future land use designations of adjacent areas;
 - c. Availability of infrastructure, public services (ie: roadways, public transit, potable water, sanitary sewer, drainage, and aquifer recharge) and utilities (electricity, gas, etc.);
 - d. Environmental limitations (ex: wetlands, uplands, soil conditions, contaminated sites, potential brownfield sites, etc.);
 - e. Access approaches, including roadways, public transit, bikeways, recreational trails and pedestrianways;
 - f. Proximity to residential areas, particularly urban residential

EXHIBIT "A" (2 of 2)

areas, and areas of very low, low and moderate income housing; and
g. Demographic base for purposes of encouraging diversity.

- Policy 27-5: The Town shall incorporate provisions in the Land Development Code requiring new nonresidential development, located adjacent to an existing or planned public school site, to incorporate features such as walls, solid hedges or increased setbacks where such use would be incompatible with the public school.
- Policy 27-6: The Town shall incorporate provisions in the Land Development Code which provide for safe pedestrian and bicycle access to schools.

Future Land Use Plan: **Plan Implementation**

Permitted Uses and Densities in Future Land Use Plan Categories

COMMUNITY FACILITIES LAND USE CATEGORY

The Community Facilities category provides for a variety of educational, religious, governmental, civic and cultural, and medical uses necessary to adequately serve the community and subregion.

Additionally, Community Facilities uses may be permitted in areas designated for the following categories: Residential, Rural Ranches, Residential/Office, Commercial, Office Park, ~~Agricultural~~, Commerce/Office, Industrial, Regional Activity Center, and Employment Center.